

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

THE WAY WE WORE,
INCORPORATED,

Plaintiff,

vs.

PAMELA PELLEGRINO dba THE
WAY WE WORE,

Defendant.

CASE NO. 2:11-cv-05523-JHN -PJWx

**JUDGMENT AND PERMANENT
INJUNCTION**

JUDGMENT AND PERMANENT INJUNCTION

The Court reviewed the complaint filed on July 5, 2011, by Plaintiff The Way We Wore, Incorporated (“The Way We Wore, Inc.”) against Defendant Pamela Pellegrino (“Pellegrino”), the default entered by the Clerk of the Court on September 23, 2011, and The Way We Wore, Inc.’s Application for Entry of Default Judgment. Finding good cause,

1 **IT IS HEREBY ADJUDGED THAT:**

2
3 1. This Court has subject matter jurisdiction over this action pursuant to
4 28 U.S.C. §§ 1331, 1338(a), and 1367 as well as 15 U.S.C. § 1121.

5
6 2. This Court has personal jurisdiction over Pellegrino and venue is
7 proper.

8
9 3. U.S. Trademark Registration No. 3,333,929 is valid, enforceable, and
10 owned by The Way We Wore, Inc.

11
12 4. Pellegrino has infringed The Way We Wore, Inc.'s U.S. Trademark
13 Registration No. 3,333,929 as alleged in the complaint in violation of 15 U.S.C.
14 §§ 1114(1) and 1125(a), including through Pellegrino's operation of the website
15 www.thewaywewore.net.

16
17 5. Pellegrino's trademark infringement was willful, entitling The Way
18 We Wore, Inc. to enhanced damages under 15 U.S.C. § 1117(a). The case is
19 exceptional, warranting an award of attorney's fees incurred by The Way We Wore,
20 Inc. for bringing this action.

21
22 6. Pellegrino committed common law trademark infringement.

23
24 7. Pellegrino committed unfair competition in violation of California
25 Business & Professions Code §§ 17200, 17203.

26
27 8. Pellegrino undertook the above acts of unfair competition knowingly
28

1 and deliberately.

2
3 **WHEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND**
4 **DECREED AS FOLLOWS:**

5
6 I. Damages Award
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8 Pellegrino is liable for The Way We Wore, Inc.'s costs and attorney's fees in
9 the amount of \$14,153.

10
11 II. Permanent Injunction
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13 The Court hereby enters a Permanent Injunction consisting of the terms set
14 forth below:

15
16 Pellegrino, and her agents, servants, attorneys, and employees and all other
17 persons acting in concert with her, are permanently enjoined from:

18
19 (1) using the THE WAY WE WORE name in connection with any retail
20 store services or online retail store services, including as part of a domain name;

21
22 (2) using any term that is likely to be confused with the THE WAY WE
23 WORE trademark asserted in the complaint;

24
25 (3) representing directly or indirectly in any form or manner whatsoever
26 that any product she offers for sale is associated with or approved by The Way We
27 Wore, Inc. when, in fact, it is not; and
28

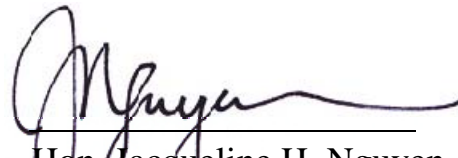
1 (4) passing off or inducing or enabling others to sell or pass off any non-
2 The Way We Wore, Inc. product as an The Way We Wore, Inc. product or as a
3 product endorsed or approved by The Way We Wore, Inc.
4

5 III. Transfer of Domain Name
6

7 Ownership of the domain name www.thewaywewore.net is hereby
8 transferred from Pellegrino to The Way We Wore, Inc.
9

10 The Court retains subject matter jurisdiction and personal jurisdiction over
11 the parties for enforcement of this Judgment and Permanent Injunction.
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13

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15 Date: January 11, 2012


Hon. Jacqueline H. Nguyen
United States District Judge

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